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BEFORE THE ARIZONA CORPORATION COMMISSION

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JUN 25 2010

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DOCKETED BY

IN THE MATTER OF THE APPLICATION OF)
ARIZONA-AMERICAN WATER COMPANY,)
AN ARIZONA CORPORATION, FOR A)
DETERMINATION OF THE CURRENT FAIR)
VALUE OF ITS UTILITY PLANT AND)
PROPERTY AND FOR INCREASES IN ITS)
RATES AND CHARGES BASED THEREON)
FOR UTILITY SERVICE BY ITS ANTHEM)
WATER DISTRICT AND ITS SUN CITY)
WATER DISTRICT.)

DOCKET NO. W-01303A-09-0343

IN THE MATTER OF THE APPLICATION OF)
ARIZONA-AMERICAN WATER COMPANY,)
AN ARIZONA CORPORATION, FOR A)
DETERMINATION OF THE CURRENT FAIR)
VALUE OF ITS UTILITY PLANT AND)
PROPERTY AND FOR INCREASES IN ITS)
RATES AND CHARGES BASED THEREON)
FOR UTILITY SERVICE BY ITS)
ANTHEM/AGUA FRIA WASTEWATER)
DISTRICT, ITS SUN CITY WASTEWATER)
DISTRICT AND ITS SUN CITY WEST)
WASTEWATER DISTRICT.)

DOCKET NO. SW-01303A-09-0343

RESPONSE TO REQUEST FOR INTERVENTION

Through this filing, Arizona-American Water Company responds to the untimely request for intervention filed by the Sun City Grand Community Association ("Association") on June 22, 2010, more than two months after the required intervention

1 deadline. For the reasons set forth below, this untimely and unsupported request for
2 intervention should be denied.

3 The Association admits in its filing that it received the notice that the
4 Commission required the Company to mail to each customer. That notice makes clear in
5 bold print that the consolidation proposal “**may impact the rates of every water and**
6 **wastewater customer, resulting in an increase or decrease.**” The notice further makes
7 clear in bold print the required dates for intervention (**April 15, 2010**) and other filings.
8 Although no other party to this proceeding has claimed that the Company has misinformed
9 it regarding consolidation and despite the clear language of the notice, the Association
10 claims that it did not understand that the Agua Fria Water District might be the subject of
11 consolidation.

12 To address the Association’s allegations that the Company misinformed it,
13 the Company has been in contact with the Association recently and has sought clarification
14 regarding these allegations. To date, the Association has not identified any specific person
15 or point of contact at the Company who provided this alleged misinformation to the
16 Association.¹ Indeed, prior to very recent discussions, the Company is not aware of any
17 contacts from the Association relating to the issue of consolidation.²

18 Even though the Association’s request for intervention is untimely and
19 unwarranted, intervention by the Association is not necessary for the Association to express
20 its opposition to consolidation. As a member of the public, the Association has the right to

21 ¹It is the Company’s understanding that some members of the Association may have contacted the City of
22 Surprise (which provides wastewater service to the Association) in the mistaken belief that the City of
23 Surprise was eligible for consolidation. The Company, of course, should not be held responsible for this
misunderstanding by the Association.

24 ² Given certain factual inaccuracies in the letter dated June 22, 2010 regarding the impact of consolidation
25 on the Association and its residents, the Company has requested an immediate meeting with the Association
26 to provide further information to the Association regarding consolidation. In addition, as it has done for
each of the districts, the Company has scheduled a town-hall meeting for the entire Agua Fria water and
wastewater district at 5pm, July 14 at the Palm Vista Church, 17475 W. Bell Road, Surprise, AZ 85374.

1 file public comment, and this letter docketed on June 22, 2010 should be treated as such. If
2 the Association is truly in favor of the continuation of stand-alone rates, the Association has
3 been well represented in this proceeding by both RUCO and Staff, both of which oppose
4 consolidation. Furthermore, this letter makes clear that the Association opposes
5 consolidation.

6 For the reasons set forth above, the Commission should deny the
7 Association's untimely and unwarranted request for intervention. Furthermore, the
8 Commission should treat the letter as public comment filed on behalf of the Association.

9
10 RESPECTFULLY SUBMITTED this 25th day of June, 2010.

11 LEWIS AND ROCA LLP

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18 Attorneys for Arizona-American Water Company

19 ORIGINAL and thirteen (13) copies
20 of the foregoing filed this 25th day
21 of June, 2010, with:

22 The Arizona Corporation Commission
23 Utilities Division – Docket Control
24 1200 W. Washington Street
25 Phoenix, Arizona 85007

26 Copy of the foregoing hand-delivered
this 25th day of June, 2010, to:

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Phoenix, Arizona 85007
Steve Olea
Utilities Division

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2 Phoenix, Arizona 85007

3 Robin Mitchell
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6 Copy of the foregoing mailed/emailed this
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